

Program/Area: Policies

Title: Telecommuting/Teleworking

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## I. **PURPOSE**

To establish a procedure for the implementation and regulation of telecommuting and teleworking work arrangement within Social Services Agency.

## I. **POLICY**

Social Services Agency (SSA) may allow telecommuting/teleworking as an optional work arrangement subject to the provisions of County of Orange and SSA rules, policies and procedures, guidelines and other related factors.

## I. **DEFINITIONS**

**Telecommuter** - an employee who has a dedicated work space assigned to him/her at an SSA facility but also operates out-of- a- home office.

**Teleworker** - an employee who operates out-of- a- home office and does not have a permanently assigned work space at an SSA facility.

## I. **GENERAL GUIDELINES**

### A. **Description**

1. Telecommuting/teleworking is an arrangement that SSA may choose to make available to some employees when a mutually beneficial situation exists. The number, classes of employees, and individuals permitted to participate will be at the discretion of management and will be determined by each Division within SSA in accordance with management priorities and staffing needs.
2. Telecommuting/teleworking is not an employee's right or a negotiable benefit. It is a voluntary option and no employee will be required to participate.
3. SSA reserves the right to approve or deny a telecommute/telework request and to terminate a telecommuting/teleworking arrangement at any time for any reason. A telecommuting/teleworking employee may also request to terminate their telecommute/telework status at any time for any reason.
4. The supervisor/designee of a Telecommuter/Teleworker must establish the specific location of the Telecommuter/Teleworker's home office and designate an SSA facility that the Telecommuter/Teleworker would be assigned to if not in a telecommute/telework status prior to commencement of telecommuting/teleworking.
5. Telecommuting/teleworking is not a substitute for child care, elder care or other forms of personal family assistance. The Telecommuter/Teleworker is responsible for making provision for that care by others during his/her working hours. This does not mean dependents must be absent from the home during telecommute/telework hours. It means that the dependents will not require the Telecommuter/Teleworker's attention during work hours. He/she must make dependent care arrangements to permit concentration on work assignments to the same extent as if they were performing work at SSA facility. To successfully accomplish his or her job responsibilities, Telecommuter/Teleworker must minimize personal disruptions such as non-work telephone calls and visitors during his or her scheduled telecommuting/teleworking hours.
6. If the Telecommuter's/Teleworker's supervisor/designee determines the requesting employee meets all eligibility

requirements, the requesting employee must collaborate with his/her supervisor/designee to complete the Telecommuter/Teleworker Application and Self-Certification Agreement ([Attachment A](#)).

7. The duties, obligations, responsibilities, compensation, benefits and conditions of employment with SSA remain unchanged by the employee's telecommute/telework status. Telecommuter/Teleworker remains obligated to comply with all County rules, policies, practices, and instructions; violation of such may result in immediate discontinuance of telecommuting/teleworking and/or disciplinary action, up to and including termination of employment. He/she is expected to maintain a professional and productive work environment when working from a home office.

## **B. Eligibility**

In order to receive consideration to telecommute or telework, requestor must meet the following criteria:

1. Demonstrated proficiency in the current assignment, if recently rotated or transferred; or
2. Completed the probationary period in their current job assignment, if new hire; and
3. Achieved a "meets expectations" or above rating during their most recent job performance evaluation.

The decision to allow an employee to telecommute or telework will be case-by-case based on the employee's supervisor and manager's recommendations, and approved by the appropriate Deputy Director. In addition, other factors will be considered as noted in Attachment A.

Tasks that are highly informational in nature are more suited to telecommute/telework, including:

- Reading and research;
- Social Worker field work;
- Welfare Fraud Investigators;
- Writing, thinking, and analysis;
- Data entry;
- Computer-oriented work, such as programming; and/or
- Positions that can work in a virtual workspace and via web interfaces.

Not all tasks and jobs are suited to telecommuting/teleworking because they require extensive use of onsite resources, hands-on service, face-to-face interaction or other factors. Due to the nature of their associated tasks, the following job positions are examples of those not well suited for telecommuting/teleworking:

- IT support personnel who provide onsite assistance at SSA facilities;
- Receptionists;
- Cooks

## **C. Hours/Availability**

1. A regular telecommute/telework schedule must be established and approved by the supervisor/designee prior to start of telecommuting/teleworking. The number of hours the Telecommuter/Teleworker is expected to work per day, or per pay period, will not change as a result of participating in the telecommute/telework program.
2. Telecommuter/Teleworker is encouraged to work during normal business hours as determined by their supervisor/designee and manager. Telecommuter/Teleworker who works outside of normal business hours will not have access to resources typically available during normal business hours such as supervisor/designee assistance and IT support. Additionally, many online systems perform maintenance outside of normal business hours to minimize disruption to the majority of users; therefore, the availability of these systems is limited outside of normal business hours.
3. Telecommuter/Teleworker is required to be available by phone and email during scheduled hours, with the exception of agreed upon break periods. He/she must have an answering machine or service to ensure unimpeded availability. The Telecommuter/Teleworker is required to provide a voicemail message that indicates to callers that they have reached a professional, work related phone number. He/she is required to check for messages at an interval agreed upon by the Telecommuter/ Teleworker and supervisor/designee. If the Telecommuter/Teleworker is provided with a County-issued phone, this phone should be utilized for business purposes only and settings should be established according to current policy.

4. The supervisor/designee reserves the right to require a telecommuting/teleworking employee to return to the primary work location on a regularly scheduled telecommuting/teleworking day, if warranted. If this situation becomes frequent, the supervisor/designee may re-evaluate the appropriateness of telecommuting/teleworking for that employee's job responsibilities. Telecommuter/Teleworker should anticipate the possibility of such an occurrence but supervisor/designee should make a reasonable effort to maintain the Telecommute/Telework schedule for which the participant has been approved.
5. Telecommuter/Teleworker may be required to physically attend meetings or events as dictated by operational requirements.
6. If a Telecommuter/Teleworker is sick while working at home, the Telecommuter/ Teleworker must report hours worked and use Sick Leave or Unplanned Annual Leave (ALUP) to document the hours not worked, and comply with the applicable Memorandum of Understanding (MOU).
7. In the event that the Telecommuter/Teleworker is unable to work due to failure of equipment (telephone line, computer, etc.) that SSA technical support could not resolve over the phone or due to other extenuating circumstances, the Telecommuter/Teleworker shall contact his/her supervisor/designee immediately for instructions and may be assigned to do other work and/or be assigned to another location. Supervisor/designee shall develop a contingency plan in advance of telecommute/telework days that will enable Telecommuter/Teleworker to continue to be productive during short periods of equipment downtime. Telecommuter/Teleworker must return SSA defective equipment to a designated SSA facility as soon as possible in accordance with supervisor/designee direction to minimize lost productivity.

#### **D. Documentation of Work Plan and Task Completion**

The Telecommuter/Teleworker and supervisor/designee will document, on an ongoing basis, the specific assignments to be worked on, the anticipated work products and delivery dates. Telecommuting/teleworking work products will be presented to the supervisor/designee by the required date, unless prior arrangements are made with the supervisor/designee.

#### **E. Work Space**

1. Residential safety practices are the Telecommuter's/Teleworker's responsibilities and are required for telework eligibility. The Telecommuter/Teleworker is responsible for exercising due care and maintaining his/her premises in a safe condition. He/she is not permitted to invite or have anyone on his or her premises for the purposes of conducting SSA business. Telecommuter/Teleworker will maintain a professional and productive work environment when working from a home office.
2. The Telecommuter's/Teleworker's home office is to be considered an extension of the primary SSA work location. He/she must sign and submit the Telecommuter/ Teleworker Application and Self-Certification Agreement that validates that his/her home office meets agency standards as noted in Attachment A.
3. The supervisor/designee reserves the right to inspect the home office with one working day notice or sooner, if warranted, to ensure it meets minimum health, safety and SSA work place standards. The Telecommuter/Teleworker shall maintain a safe working environment at their home office and practice the same safety habits required while working from an SSA facility.
4. Any changes to the condition of the home office shall be immediately reported to the Telecommuter's/Teleworker's supervisor/designee who will determine if the work space continues to meet agency standards.
5. Upon moving to a new home office or upon change in the condition of their existing home office, the Telecommuter/Teleworker shall complete a new Telecommuter/ Teleworker Application and Self-Certification Agreement (Attachment A) as soon as practicable but no longer than 10 business days from the day of the changed condition to recertify that their workplace still meets agency requirements. He/she may continue to telecommute/telework during the recertification process.

#### **F. Equipment, Supplies and Support**

1. Depending on the assignment, SSA may provide Telecommuter/Teleworker with any combination of the following devices: computer, encrypted thumb drive, cellular or Voice Over Internet Protocol (VoIP) phone, and/or a remote access token. This equipment shall only be used by the Telecommuter/Teleworker. Printers will not be provided and home office printing will not be supported by the agency.
2. Agency-owned/supplied equipment is to be used for SSA business only. The Telecommuter/Teleworker is

responsible to deliver defective agency-owned equipment to an SSA facility for maintenance and repair. When the telecommute/telework agreement or employment with SSA is terminated, the employee must return all agency-owned/supplied equipment within 3 business days.

3. Maintenance and repair of personally owned equipment (including information technology devices), office supplies and furniture is the responsibility of the Telecommuter/Teleworker. All personally-owned equipment, such as computer hardware and software, must meet SSA configuration and security requirements.
4. Help Desk support services for County-owned information technology equipment will be available over the phone during normal work hours. SSA support personnel will not provide onsite maintenance service at a Telecommuter's/Teleworker's home office, will only service County equipment, and will not be able to service his/her personal equipment or Internet Service Provider equipment or software.
5. Loss or damage of SSA issued equipment resulting from negligence could result in disciplinary action and/or termination of telecommute/telework privileges and the Telecommuter/Teleworker may be required to reimburse the agency for the cost.
6. SSA will not reimburse the Telecommuter/Teleworker for home utility costs, Internet service, furniture, computer or peripheral equipment, telephone service, office supplies, homeowner's insurance rates, or any other costs associated with telecommute/telework. SSA Telecommuter/Teleworker who uses a personally owned vehicle to fulfill their normal duties (for example, Social Worker travels to client residences) may claim mileage in accordance with the agency's Mileage Reimbursement policy.

## **G. Training**

Teleworker/Telecommuter is required to complete SSA Teleworker/Telecommuter Training prior to commencing telework/telecommuting. (Note: This statement is effective once the SSA Teleworker/Telecommuter Training course is launched.)

## **H. Liability**

1. Since the employee's workspace is considered a remote work space and an extension of the County work space, Worker's Compensation liability for job related accidents will continue to exist during the employee's telecommuting/teleworking work hours. Injuries sustained by the employee while at their home work location and in conjunction with their regular work duties are normally covered by the agency's Workers' Compensation policy. Telecommuter/Teleworker is responsible for notifying the employer of such injuries in accordance with agency's Worker's Compensation procedures.
2. SSA will not be held responsible for injuries incurred in the Telecommuter/ Teleworker's home office by visitors, other residents or the public. The Telecommuter/Teleworker remains liable for injuries to other persons and/or members of his/her family in the Telecommuter/Teleworker's home office. In the event of an injury while working in the home office or other offsite workplace, the Telecommuter/Teleworker must contact his/her supervisor/designee as soon as circumstances permit to get further instructions.
3. The Telecommuter/Teleworker remains liable for injuries to other persons and/or members of the Telecommuter/Teleworker's family in his/her home office.
4. The County and/or the County's Worker's Compensation Administrator may investigate circumstances in Telecommuter/Teleworker's Worker's Compensation claims.

## **I. Confidentiality**

1. All SSA employees signed an "Orange County Social Services Agency Confidentiality of Client Information" statement at the time of accepting an offer for SSA job employment. In accordance with that agreement, Telecommuter/Teleworker must abide by all confidentiality regulations and ensure that no co-inhabitants or visitors to the Telecommuter's/Teleworker's home office have audible or visible access to any confidential information at any time. Additionally, Telecommuter/Teleworker must abide by the SSA Administrative Policies and Procedures [I 6 "Use of E-mail, Personal Computers, and other Computer Resources"](#) and the [County of Orange Information Technology Security Policy](#). There are other types of confidential or sensitive materials such as, but not limited to, contract documents, personnel-related materials, bids from potential awardees, client caseload printouts, etc., that must also be kept secure to avoid inadvertent disclosure. Violation of these policies or violation of confidentiality requirements may result in disciplinary action including loss of telecommuting/teleworking privileges, termination and civil/criminal prosecution.

2. In situations where removal of case file or confidential information is not precluded by regulation or policy, approval for the use of such material in the home shall be obtained from the appropriate Deputy Director.
3. Telecommuter/ Teleworker is responsible for the security of all confidential business related information he/she uses at all times regardless of their location.
4. Names, addresses, date of birth, Social Security number and all other information concerning the circumstances of any individual for whom or about whom information is obtained is confidential. No disclosure of any information obtained by a representative, agent or employee of the county in the course of discharging his or her duties, shall be made, directly or indirectly, other than in the administration of public social service programs.

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## **V. PROCEDURE**

### **A. Employee's Request**

SSA employees interested in participating in a telecommuting/teleworking program will request their supervisor/designee to determine if they meet the criteria for telecommuting/teleworking. If requirements are met, the requesting employee and supervisor/designee will coordinate the completion of the Telecommuter/Teleworker Application and Self-Certification/Agreement ([Attachment A](#)). The employee shall sign the Self-Certification and Agreement (Section II, [Attachment A](#)) and submit the completed form to his/her supervisor for review and approval.

### **B. Supervisor's/Designee's Review and Approval**

Upon receipt of the completed Telecommuter/Teleworker Application and Self-Certification Agreement from the employee, the supervisor/designee shall review and evaluate the employee's request on a case-by-case basis following Section IV. B above. In addition, the supervisor shall make an initial determination on the following:

1. Mutual benefits to the agency and employee resulting from telecommuting/ teleworking.
2. Employee's suitability for telecommuting/teleworking and the likelihood of his/her success as a Telecommuter/Teleworker, by reviewing the employee's past performance in the areas of productivity, initiative, and his/her ability to perform with minimal supervision.
3. Employee's access to the appropriate equipment in the home, or other job site, to perform his/her duties.

The supervisor/designee conducting the review/evaluation shall submit his/her recommendation up-the-chain of command for approval of the appropriate Deputy Director. Consideration should be given to the supervisor/designee's ability to manage remote workers.

C. Upon the approval of the request, the supervisor shall discuss the General Guidelines in Section IV above with the employee, and request him/her to attend the Telecommuting/ Teleworking training, when available.

D. Upon commencement of the telecommuting/teleworking process, the Telecommuter's/ Teleworker's supervisor/designee shall be responsible to review work products for compliance to the work plan.

E. Discontinuance of telecommuting/teleworking program may be initiated by either the employee or the supervisor/designee on a voluntary or involuntary basis at any time. Telecommuter/Teleworker shall notify their supervisor/designee if he/she voluntarily discontinues this work arrangement. Upon receipt of employee's notification, the supervisor/ designee shall complete the Telecommuting/Teleworking Discontinuance form ([Attachment B](#)) and account for any County equipment used in telecommuting/teleworking. The same process shall apply in the event that telecommuting/teleworking program is initiated by the supervisor.

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## **VI. ATTACHMENTS**

- A. [Telecommuter/Teleworker Application and Self-Certification/Agreement](#)
- B. [Telecommuting/Teleworking Discontinuance Form](#)

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